



**RESOLUTION OF THE GOVERNING BODY OF THE  
THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD INDIAN RESERVATION**

**A Resolution Entitled, “*Approval and Authorization of Reconstruction of the 2 Bureau of Indian Affairs Routes, Drags Wolf Village and Bakersfield Subdivisions, in the Amount of \$577,345.00 by White Horse Construction, LLC with the Project Designated a Priority for the BIA TIP list.*”**

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

**WHEREAS,** Pursuant to Article III, Section 1 of Constitution and By Laws of the Three Affiliated Tribes, also known as the Mandan, Hidatsa, and Arikara Nation (or “Tribes”), the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** Pursuant to Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to make expenditures from available Tribal funds for public purposes of the Three Affiliated Tribes of the Fort Berthold Indian Reservation; and

**WHEREAS,** Pursuant to Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal Officials of the Reservation; and

**WHEREAS,** The Tribal Business Council having been forthright and proactive to provide the safest roadways and highways across all Six (6) Segments of the Three Affiliated Tribes on the Fort Berthold Indian Reservation, which consists of approximately 1,000,000 acres; and

**WHEREAS,** The Bureau of Indian Affairs (or “BIA”) has established a Funding System known as the Tribal Improvement Plan (or “TIP”) for the BIA Route System, which includes Fiscal Year Funding cycles and which is historically underfunded across Indian Country including the Aberdeen Area and Fort Berthold Indian Reservation; and

**WHEREAS,** The Four Bears Segment of the Fort Berthold Indian Reservation roads maintenance improvements records indicate that the Drags Wolf Village Subdivision Streets were last maintained in FY 2000 and the Bakersfield Subdivision Streets were last maintained in FY 2009; and





**WHEREAS,** The Tribal Business Council has made it a priority to upgrade and improve Road Systems of the Fort Berthold Indian Reservation, and it is evident to the Tribal Business Council that the BIA Routes of Drags Wolf Village and Bakersfield Subdivisions within the Four Bears Segment of the Reservation require immediate reconstruction, including asphalt milling and repaving, in the FY 2021 Construction Season since the approximately four (400) hundred residents of the Segment including Elders, School Children, Law Enforcement, Security, Tribal Employees, Indian Health Service Employees, BIA Employees and Tribal Members daily drive these routes and are subject to hazardous bumps, dips and potholes and a risk of head on collisions on a daily basis; and

**WHEREAS,** The Tribal Business Council, therefore, due to such lack of road maintenance within the aforementioned Housing Subdivisions thereby creating such hazardous road conditions, formally designates BIA Routes of Drags Wolf Village Subdivision and Bakersfield Subdivision as Priority Number 1 for the Four Bears Segment of the Three Affiliated Tribes of the Fort Berthold Indian Reservation; and

**WHEREAS,** The Tribal Business Council has been notified that the Four Bears Council Representative has sought out and received three bids and the Selected Bidder is White Horse Construction, LLC, a Licensed Tier 1 TERO Contractor as required by TAT Tribal Procurement Policy, so that the respective Federal Highway Standards are met for the needed traffic traveling through the two aforementioned busy Four Bears Segment Housing Subdivision routes.

**NOW, THEREFORE, BE IT RESOLVED** that the Tribal Business Council of the Three Affiliated Tribes hereby approves the Bid of \$577,345.00 by White Horse Construction, LLC for the aforementioned Four Bears Segment Project to adequately repair the Bureau of Indian Affairs Routes of Drags Wolf Village and Bakersfield Subdivisions to Highway Standards, consisting of total reconstruction by milling the damaged asphalt and repaving of asphalt; and

**BE IT FURTHER RESOLVED** that the aforementioned Project is to be designated as Priority Number One for FY2021 Construction Season and for purposes of the FY2021 BIA TIP list for the Four Bears Segment; and

**BE IT FINALLY RESOLVED** that the Tribal Chairman is authorized to execute the documents necessary to carry out the terms and intent of this Resolution.

*(SIGNATURE PAGE TO FOLLOW)*



**CERTIFICATION**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 7<sup>th</sup> day of July, 2021, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting.

Dated this 7<sup>th</sup> day of July, 2021.

**ATTEST:**

Tribal Secretary, Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes

Tribal Chairman Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes